

Conference Committee Report for H. B. No. 111

AN ACT

appropriating money for the support of the judicial, legislative and executive branches of the State Government, and for State aid to designated public junior colleges for the two-year period beginning Sept. 1, 1953 and ending Aug. 31, 1955; authorizing and prescribing conditions, limitations, rules, and procedures, for allocating and expending the appropriated funds; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE I JUDICIARY

Section 1. The following sums, or as much of them as may be necessary for the objects and purposes shown, are appropriated from the General Revenue Fund or from such other sources as may be specified, for the expenses of the Judiciary, judicial service units and Commissions of this State for the years shown:

COURTS OF CIVIL APPEALS

	For the Years Ending Aug. 31, 1954	Aug. 31, 1955
First District - Galveston		
For salaries and wages - -		
1. Judges, 3 at 12,000 (S)	\$ 36,000	\$ 36,000
2. Clerk	5,400	5,400
3. Deputy Clerk, and/or Secretary, and/or Stenographer, 2, NTE 3,036	5,738	5,738
4. Porter or Librarian	<u>1,764</u>	<u>1,764</u>
Subtotal, salaries and wages	\$ 48,902	\$ 48,902
For other expenses - -		
5. Other operating expense	750	750
6. Equipment, law books, and other property	<u>1,250</u>	<u>1,250</u>
Total, First District	\$ 50,902	\$ 50,902

Courts of Civil Appeals, (continued)

For the years ending
 Aug. 31, Aug. 31,
 1954 1955

Second District - Fort Worth

For salaries and wages --

1.	Judges, 3 at 12,000 (S)	\$ 36,000	\$ 36,000
2.	Clerk	5,400	5,400
3.	Deputy Clerk, and/or Secretary, and/or Stenographer, 2, NTE 3,036	5,738	5,738
4.	Porter or Librarian	<u>1,764</u>	<u>1,764</u>
	Subtotal, salaries and wages	48,902	48,902

For other expenses --

5.	Other operating expense	750	750
6.	Equipment, law books, and other property	<u>1,250</u>	<u>1,250</u>
	Total, Second District	\$ 50,902	\$ 50,902

Third District - Austin

For salaries and wages --

1.	Judges, 3 at 12,000 (S)	36,000	36,000
2.	Clerk	5,400	5,400
3.	Deputy Clerk, and/or Secretary, and/or Stenographer, 2 NTE 3,036	5,738	5,738
4.	Porter or Librarian	<u>1,764</u>	<u>1,764</u>
	Subtotal, salaries and wages	48,902	48,902

For other expenses --

5.	Other operating expense	750	750
6.	Equipment, law books, and other property	<u>1,250</u>	<u>1,250</u>
	Total, Third District	\$ 50,902	\$ 50,902

Courts of Civil Appeals (continued)

	For the Years Ending Aug. 31, 1954	Aug. 31, 1955
Fourth District--San Antonio		
For salaries and wages--		
1. Judges, 3 at 12,000 (S)	36,000	36,000
2. Clerk	5,400	5,400
3. Deputy Clerk, and/or Secretary, and/or Stenographer, 2, NTE 3,036	5,738	5,738
4. Porter or Librarian	<u>1,764</u>	<u>1,764</u>
Subtotal, salaries and wages	48,902	48,902
For other expenses--		
5. Other operating expense	750	750
6. Equipment, law books, and other property	<u>2,250</u>	<u>1,250</u>
Total, Fourth District	\$51,902	\$50,902
Fifth District--Dallas		
For salaries and wages--		
1. Judges, 3 at 12,000 (S)	36,000	36,000
2. Clerk	5,400	5,400
3. Deputy Clerk, and/or Secretary, and/or Stenographer, 2, NTE 3,036	5,738	5,738
4. Porter or Librarian	<u>1,764</u>	<u>1,764</u>
Subtotal, salaries and wages	48,902	48,902
For other expenses--		
5. Other operating expense	750	750
6. Equipment, law books, and other property	<u>1,250</u>	<u>1,250</u>
Total, Fifth District	\$50,902	\$50,902

Courts of Civil Appeals (continued)

Sixth District - Texarkana	For the Years Ending Aug. 31, 1954	Aug. 31, 1955
For salaries and wages --		
1. Judges, 3 at 12,000 (S)	36,000	36,000
2. Clerk	5,400	5,400
3. Deputy Clerk, and/or Secretary, and/or Stenographer, 2, NTE 3,036	5,738	5,738
4. Porter or Librarian	<u>1,764</u>	<u>1,764</u>
Subtotal, salaries and wages	48,902	48,902
For other expenses --		
5. Other operating expense	750	750
6. Equipment, law books, and other property	<u>1,250</u>	<u>1,250</u>
Total Sixth District	\$ 50,902	\$ 50,902
Seventh District - Amarillo		
For salaries and wages --		
1. Judges, 3 at 12,000 (s)	36,000	36,000
2. Clerk	5,400	5,400
3. Deputy Clerk, and/or Secretary, and/or Stenographer, 2, NTE 3,036	5,738	5,738
4. Porter or Librarian	<u>1,764</u>	<u>1,764</u>
Subtotal, salaries and wages	48,902	48,902
For other expenses --		
5. Other operating expense	750	750
6. Equipment, law books, and other property	<u>1,250</u>	<u>1,250</u>
Total Seventh District	\$ 50,902	\$ 50,902

Courts of Civil Appeals (continued)

	For the Years Ending	
	Aug. 31, 1954	Aug. 31, 1955
Eighth District - El Paso		
For salaries and wages		
1. Judges, 3 at 12,000 (S)	\$36,000	\$36,000
2. Clerk	5,400	5,400
3. Deputy Clerk, and/or Secretary, and/or Stenographer, 2, NTE 3,036	5,738	5,738
4. Porter or Librarian	<u>1,764</u>	<u>1,764</u>
Subtotal, salaries and wages	\$48,902	\$48,902
For other expenses		
5. Other operating expense	750	750
6. Equipment, law books, and other property	<u>1,250</u>	<u>1,250</u>
Total Eighth District	\$50,902	\$50,902
Ninth District - Beaumont		
For salaries and wages		
1. Judges, 3 at 12,000 (S)	36,000	36,000
2. Clerk	5,400	5,400
3. Deputy Clerk, and/or Secretary, and/or Stenographer, 2, NTE 3,036	5,738	5,738
4. Porter or Librarian	<u>1,764</u>	<u>1,764</u>
Subtotal, salaries and wages	\$48,902	\$48,902
For other expenses		
5. Other operating expense	750	750
6. Equipment, law books, and other property	<u>1,250</u>	<u>1,250</u>
Total, Ninth District	\$50,902	\$50,902

Courts of Civil Appeals (continued)

	For the Years Ending	
	Aug. 31, 1954	Aug. 31, 1955
Tenth District - Waco		
For salaries and wages --		
1. Judges, 3 at 12,000 (S)	\$ 36,000	\$ 36,000
2. Clerk	5,400	5,400
3. Deputy Clerk, and/or Secretary, and/or Stenographer, 2,	5,738	5,738
4. Porter or Librarian	<u>1,764</u>	<u>1,764</u>
Subtotal, salaries and wages	48,902	48,902
For other expenses --		
5. Other operating expense	750	750
6. Equipment, law books, and other property	<u>1,250</u>	<u>1,250</u>
Total, Tenth District	\$ 50,902	\$ 50,902
Eleventh District - Eastland		
For salaries and wages --		
1. Judges, 3 at 12,000 (S)	36,000	36,000
2. Clerk	5,400	5,400
3. Deputy Clerk, and/or Secretary, and/or Stenographer, 2, NTE 3,036	5,738	5,738
4. Porter or Librarian	<u>1,764</u>	<u>1,764</u>
Subtotal, salaries and wages	48,902	48,902
For other expenses --		
5. Other operating expense	750	750
6. Equipment, law books, and other property	<u>1,250</u>	<u>1,250</u>
Total, Eleventh District	\$ 50,902	\$ 50,902

Courts of Civil Appeals, (continued)

TRAVEL OF JUDGES OF CIVIL APPEALS

	For the Years Aug. 31, 1954	Ending Aug. 31, 1955
1. Traveling expenses of Judges of Courts of Civil Appeals when sitting in other districts	\$ 900	\$ 900
SUPREME COURT OF TEXAS		
For salaries and wages --		
1. Judges, 9 at 15,000 (S)	135,000	135,000
2. Clerk of Supreme Court; Librarian and services to State Bar	6,500	6,500
3. Chief Deputy Clerk	4,344	4,344
4. Deputy Clerks, 3 NTE 4,092	12,276	12,276
5. Deputy Clerk and Secretary to Board of Law Examiners	4,512	4,512
6. Briefing Attorney - Chief	5,004	5,004
7. Briefing Attorneys, 3 NTE 3,420	10,260	10,260
8. Secretaries to the Judges of the Supreme Court, 7 NTE 3,420	23,940	23,940
9. Reporter and Assistant to Chief Justice in Adm. Jud. Ret. System	4,656	4,656
10. Marshall and Asst. Librarian	3,780	3,780
11. Porter and Court Messenger	1,830	1,830
12. Porters, 2 NTE 1,584	<u>3,528</u>	<u>3,528</u>
Subtotal, salaries and wages	215,630	215,630
For other expenses --		
13. Travel	400	400
14. Other operating expense	4,000	4,000
15. Equipment, law books, and other property	<u>6,000</u>	<u>6,000</u>
Total, Supreme Court of Texas	\$226,030	\$226,030

COURT OF CRIMINAL APPEALS

For the Years Ending
 Aug. 31, Aug. 31,
 1954 1955

For salaries and wages --

1. Judges, 3 at 15,000 (S)	\$ 45,000	\$ 45,000
2. Commissioners in aid to Court, 2, (S)	30,000	30,000
3. Clerk of the Court	5,964	5,964
4. Secretary-Bailiff	4,020	4,020
5. Secretary-Clerk	3,420	3,420
6. Secretaries, 3, NTE 3,420	10,260	10,260
7. Editor of Court Reports	5,208	5,208
8. Secretary to Editor of Court Reports	3,060	3,060
9. Porter and Vault Custodian	<u>1,830</u>	<u>1,830</u>
Subtotal, salaries and wages	108,762	108,762

For other expenses --

10. Other operating expense	1,300	1,300
11. Equipment, law books, and other property	<u>1,700</u>	<u>1,200</u>
Total, Court of Criminal Appeals	\$111,762	\$111,262

STATE PROSECUTING ATTORNEY BEFORE COURT OF CRIMINAL APPEALS

For salaries and wages --

1. State's Attorney	7,380	7,380
2. Clerk-Secretary	<u>3,420</u>	<u>3,420</u>
Subtotal, salaries and wages	10,800	10,800

For other expenses --

3. Other operating expense	330	330
4. Equipment, law books, and other property	<u>200</u>	<u>200</u>
Total, State Prosecuting Attorney	\$ 11,330	\$ 11,330

APPELLATE COURT REPORTS

1. Printing and binding Supreme Court and Courts of Criminal Appeals reports, by Board of Control	\$ 14,000	Unexpended Balance
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TEXAS COMMISSION ON UNIFORM STATE LAWS

	For the Years Ending	
	Aug. 31, 1954	Aug. 31, 1955
1. Contribution on behalf of the State of Texas to the National Conference of Commissioners on Uniform State Laws	\$ 1,125	\$ 1,125
2. For the printing of the Texas Commission's report, and for travel expenses of members of the Texas Commission	<u>1,000</u>	<u>1,000</u>
Total, Texas Commission on Uniform State Laws	\$ 2,125	\$ 2,125

JUDICIARY SECTION - COMPTROLLER'S DEPARTMENT

1. Salaries of 141 District Judges and Criminal District Judges at 9,000 (S)	\$1,269,000	\$1,269,000
2. District Judges Expenses in Districts composed of two or more counties	40,650	40,650
3. Special District Judges' Salaries and Regular District Judges' Expenses when holding Court out of their Districts	<u>8,500</u>	<u>8,500</u>
Subtotal, District Judges	1,318,150	1,318,150
4. Salaries, including the 500 Constitutional allowance of 53 District Attorneys at 5,500 (S)	291,500	291,500
5. Salary of District Attorney of 105th District (Nueces) (S)	6,100	6,100
6. Salary of District Attorney of 34th District (El Paso) (S)	6,500	6,500
7. Salary of District Attorney of 53rd District (Travis) (S)	5,600	5,600
8. Assistant District Attorney of the 53rd Judicial District (Travis County)	4,320	4,320
9. District Attorneys Expenses in Districts composed of two or more counties	<u>32,500</u>	<u>32,500</u>
Subtotal, District Attorneys	346,520	346,520

Judiciary Section - Comptroller's Department, (continued)

	For the Years Ending	
	Aug. 31, 1954	Aug. 31, 1955
10. Apportionment to counties where \$	\$	
county officers are paid salaries, (Chap. 465, Sec. 6(a), 2nd, Called Session, Acts 44th Legislature (Art. 3912-E, V.A.C.S.)). Should any county, by election of the Commissioners Court, change from a salary to a fee basis during this biennium, the Comptroller shall make adjustments in the appropriations by transferring the correct amount from this appropriation to the appropriation made for paying fees and costs of sheriffs and other county officials	574,064	574,064
11. Apportionment to counties where county officers are paid salaries and where there is a Criminal District Attorney or County Attorney performing the duties of District Attorney (as per sub-section B, Section 13, and Section 15, subsection A, of Chapter 465, Section 6 (a), 2nd Called Session, Acts 44th Legislature), or in counties having a Criminal District Court where the office of Criminal District Attorney has been abolished and the constitutional office of District Attorney for such Criminal District Court created (as per House Bill 561 of the 53rd Legislature, Regular Session)	161,861	161,861
12. Fees and costs paid to sheriffs, attorneys and clerks in felony cases, and fees of county judges, county attorneys, justices of peace, sheriffs and constables in examining trials where indictments are returned. Should any county, by election of the Commissioners Court, change from a fee basis to a salary basis during this biennium, the Comptroller shall make adjustments in the appropriations by transferring the correct amount from this appropriation to the appropriation made for, Apportionment to Counties where County Officers are paid salaries	35,000	35,000
Subtotal, County Officers	770,925	770,925

Judiciary Section - Comptroller's Department, (continued)

	For the Years Ending	
	Aug. 31, 1954	Aug. 31, 1955
13. Expenses of attached witnesses, witness fees and mileage allowed witnesses in felony cases where the witness lives outside the county where the case is being tried	\$ 50,000	\$ 50,000
14. Apportionment to Judiciary Retirement System	90,000	90,000
15. Transcript fee to official court reporters as provided by Chap. 465, Sec. 5, Acts 52nd Legislature (Art. 759-A, Sec. 5 V.A.C.C.P.)	<u>400</u>	<u>400</u>
Total, Judiciary Section Comptroller's Department	\$ 2,575,995	\$2,575,995

RECAPITULATION -- JUDICIARY ARTICLE

	For the Aug. 31, 1954	Years Ending Aug. 31, 1955
COURTS OF CIVIL APPEALS		
First District, Galveston	\$ 50,902	\$ 50,902
Second District, Fort Worth	50,902	50,902
Third District, Austin	50,902	50,902
Fourth District, San Antonio	51,902	50,902
Fifth District, Dallas	50,902	50,902
Sixth District, Texarkana	50,902	50,902
Seventh District, Amarillo	50,902	50,902
Eighth District, El Paso	50,902	50,902
Ninth District, Beaumont	50,902	50,902
Tenth District, Waco	50,902	50,902
Eleventh District, Eastland	50,902	50,902
Travel, Judges of Civil Appeals	900	900
SUPREME COURT	226,030	226,030
COURT OF CRIMINAL APPEALS	111,762	111,262
STATES PROSECUTING ATTORNEY	11,330	11,330
APPELLATE COURT REPORTS	14,000	Unexpended Balance
TEXAS COMMISSION ON UNIFORM STATE LAWS	2,125	2,125
JUDICIARY SECTION - COMPTROLLER	<u>2,575,995</u>	<u>2,575,995</u>
COMBINED GRAND TOTALS, JUDICIARY	\$ 3,503,064	\$ 3,487,564

JUDICIARY - SPECIAL PROVISIONS

Sec. 2. Out of the fund created by the retirement contributions of the Judges under Section 5 of Chapter 99 (H.B. No. 33), Acts of the 51st Legislature, Regular Session, there is hereby appropriated not to exceed Five Thousand Dollars (\$5,000) for each year of the biennium beginning Sept. 1, 1953, or as much thereof as may be necessary to refund accumulated contributions as provided in Section 6 of that Act.

Sec. 3. No funds appropriated in this Article for travel may be used to pay any expense of traveling outside the boundaries of the State of Texas, except the actual expenses of the State's Attorney when it is necessary that he appear before any court in behalf of this State and the actual expenses of the Chief Justice of the Supreme Court or his designated Associate Justice.

Sec. 4. The term "Other Operating Expense" as used in this Article shall only include the expenditure items under the 2200, 2400, 3100, 3300, and 4100 code groups as shown in the State Comptroller's standard classification of accounts as revised to August 31, 1952.

Sec. 5. Monies specifically appropriated for Other Operating Expense in this Article may, at the discretion of the respective court or judicial service unit, be also expended for equipment, law books, and other property.

Sec. 6. Any surplus which has accrued as of August 31, 1954 in Item 3 of the Appropriations for the respective Courts of Civil Appeals is hereby reappropriated for the fiscal year beginning Sept. 1, 1954, and may be expended only for equipment, law books, and other property for the respective Courts of Civil Appeals.

Judiciary - Special Provisions, (continued)

Sec. 7. Amounts specifically appropriated for "Equipment, law books, and other property" for the respective courts in this Article are non-transferable and are to be expended only for items within the designated categories.

Sec. 8. It is the duty of the Appellate Courts and judicial agencies of the State, annually and within sixty days after the close of the State's fiscal year, to make a sworn statement to the Governor and to the Legislative Council of all amounts received and expended by each court or Judicial agency. A report from each court shall be filed annually for the calendar year with the Governor, and a copy thereof with the Legislative Council, showing the total number of cases filed in each court during the year, the number of cases transferred to and from such court, the number of cases disposed of with proper sub-classification as to the manner of disposition, such as by dismissal, final judgment, reversal, and affirmance; and any other statistical data which may be required by the Governor or the Legislative Council.

Sec. 9. a. The presiding judges on executive head of any court or judicial service unit for which an appropriation is made in this Article may use any savings in the respective appropriations for salaries and wages which may be obtained through simplifying methods of work, through consolidating or eliminating positions, and through other economies in salary and wage costs, for increasing the salaries and wages of remaining positions and personnel other than judges and commissioners; provided, however, the amount of any such increases shall not exceed by \$50 per month the salary rates specified in this Article.

Judiciary - Special Provisions, (continued)

b. It is further provided that none of the provisions of this Act shall prevent the presiding judges or executive head of any court or judicial service unit named in this Article from paying less than the maximum amount set forth herein or authorized by these special provisions for any salaried position.